



Date July 27, 2009

**RESOLUTION SETTING DATE OF HEARING
ON RENEWAL OF PARKING LEASE AGREEMENT
WITH NELSON DEVELOPMENT, LLC AT
EAST GRAND AVENUE AND EAST 4TH STREET**

WHEREAS, on December 22, 2003 by Roll Call No. 03-2941 the City Council of the City of Des Moines approved a five-year Lease Agreement with Nelson Development, LLC (“Nelson”) for a proposed parking lot on the northwest corner of East 4th Street and East Grand Avenue; and

WHEREAS, the City of Des Moines and Nelson have negotiated a three-year renewal of the Lease, a copy of which is on file in the City Clerk’s office, whereby Nelson will pay the City \$9,600 (\$60.00 per space per month) upon satisfaction of a third-party loan to Nelson for improvements to the leased space, which satisfaction is expected to occur within two years; and

WHEREAS, the property was acquired by the City pursuant to its urban renewal powers under the Code of Iowa. The surface parking lot is an interim use, the long-term intent is to sell the property for redevelopment; and

WHEREAS, the leased property is legally described as follows:

Lot 3 (except the West 19.9 feet on the South line and the West 20 feet on the North line) and all of Lots 4 and 5, and all of the East/West alley right-of-way lying North of and adjoining said Lot 3 (except the West 20.0 feet thereof) and lying North of and adjoining said Lots 4 and 5 in Block 10, East Fort Des Moines, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

1. A public hearing on the lease shall be held on August 10, 2009 at 5:00 p.m. in City Council Chambers, 400 Robert D. Ray Drive, Des Moines, Iowa.

★ Roll Call Number

Agenda Item Number

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Date July 27, 2009

2. The City Clerk is authorized and directed to publish notice of the hearing in the attached form not less than four nor more than twenty days from the date of the hearing.

(Council Communication No. 09-512)

Moved by _____ to adopt.

APPROVED AS TO FORM:



Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk